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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/824,143

04/14/2004

Bruce Ancona

72063

6373

7590

09/15/2006

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EXAMINER

HASHMI, ZIA R

ART UNIT

PAPER NUMBER

2881

DATE MAILED: 09/15/2006

Please find below and/or attached an Office communication concerning this application or proceeding.



## DETAILED ACTION

### Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-14 are rejected under U.S.C. 103(a) as being unpatentable over Disabito et al. (6,809,326), in view of Jenkins et al. (US 2005/0236579 A1).

3. With respect to independent claims 1 & 13, and dependent claims 2, 8-9, & 12, Disabito et al. disclose a sterilizer (Abstract, lines 1-4, col. 1, lines 45-51 & 66-67, and Fig. 1) comprising: a housing forming an enclosure; a receptacle movably arranged in the housing, the receptacle permitting the passage of UV-C radiation therethrough (Abstract, lines 8-10, col. 3, lines 5-12 & 48-52, and 50 in Fig. 1); a source of UV-C radiation (col. 1, lines 47-50, col. 2, lines 65-66, col. 6, lines 46-49, and 20 in Fig. 1); and means for rotating the receptacle inside the enclosure; wherein UV-C radiation from the source of UV-C radiation is directed through the receptacle as the receptacle is rotated (col. 3, lines 54-60, col. 8, lines 9-20, and 50 in Fig. 1)

4. With respect to claims 1, 3-7, 10-11, and 13-14, Disabito et al. fail to disclose a UV-C radiation source located within an enclosure, or details of UV-C power source. Jenkins et al. however, disclose an UV source within the processing enclosure (section 0008, lines 1-4, section 0011, section 0033, lines 6-11, and 7, 3a in Fig. 1) of a sterilizer similar to described above and having a base on which the housing is mounted (section

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0059, lines 13-14 and 133 in Fig. 18-20). Furthermore, Jenkins et al. disclose details of the UV lamp power source (section 0063 and Fig. 22), including the associated switch.

Thus, it would have been obvious to one having ordinary skill at the time of the invention was made to combine the methods and apparatus of Disabito and Jenkins et al., because Jenkins et al. teach (section 0003, lines 1-4) that a number of small objects used in everyday life, particularly those used in medical and hygienic applications, can serve as a transport mechanism for disease-causing microorganisms.

### **Conclusion**

5. Deal discloses (6,911,177) a mobile ultraviolet area sterilizer using multiple UV-C generators, such as mercury bulbs. .

6. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact Electronic Business Center (EBC) at 866-217-9197 (toll-free).


7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Zia Hashmi whose telephone number is (571) 272-2473. The examiner can normally be reached between 8.30 AM- 5 PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John R. Lee can be reached on (571) 272-2477.

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Zia Hashmi

September 11, 2006

  
JACK BERMAN  
PRIMARY EXAMINER